

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:19-CR-00165

vs.

District Judge Michael J. Newman

ANTHONY FRANKLIN, *et al.*,

Defendants.

**ORDER (1) MAKING AN ENDS OF JUSTICE FINDING, AND (2) CONFIRMING  
THAT THE HEARING ON DEFENDANT SHAMAR DAVIS'S MOTION TO SUPPRESS  
(DOC. NO. 37) WILL PROCEED ON MAY 18, 2021 AT 9:30 AM**

This criminal case is before the Court following the telephone status conference on April 20, 2021. During the conference, counsel for Defendants advised the Court that the pending and sole remaining Motion to Suppress filed by Defendant Davis (Doc. No. 37) tolls the Speedy Trial Act for all Defendants in this case. The Court agrees. *See United States v. Cope*, 312 F.3d 757, 776-77 (6th Cir. 2002) (“Where ... multiple defendants are charged together and no severance has been granted, one speedy trial clock governs. As such, the excludable delay of one defendant is ascribed to that of all of his codefendants.” (citations omitted)).

Insofar as such time is not tolled by virtue of the pendency of Defendant Davis's Motion to Suppress and the Court's General Orders regarding the COVID-19 pandemic, the Court finds that, pursuant to 18 U.S.C. § 3161(h)(7)(A) and after considering the factors set forth in 18 U.S.C. § 3161(h)(7)(B), the ends of justice outweigh the best interest of the public and Defendants in a speedy trial as previously set forth by Order of this Court. (Doc. No. 81).

The Court hereby **ORDERS** that the hearing on Defendant Davis's Motion to Suppress

on **May 18, 2021 at 9:30 AM** is **CONFIRMED**.

**IT IS SO ORDERED.**

April 22, 2021

s/Michael J. Newman  
Hon. Michael J. Newman  
United States District Judge